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Motion DENIED as MOOT  
in light of Amended  
Motion.



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER PONCE-CURASCO, et. al.

Defendant.

) Case No. 3:12-cr-00170  
)  
) The Honorable Aleta A. Trauger  
) U.S. District Judge

)  
) **MOTION #1 - TO DISMISS SUPERSEDING**  
) **INDICTMENT FOR DELAY OF**  
) **PROSECUTION AND DESTRUCTION AND**  
) **TAMPERING OF EVIDENCE; REQUEST**  
) **FOR HEARING; DECLARATION OF**  
) **ATTORNEY RICHARD J. SULLIVAN IN**  
) **SUPPORT THEREOF**

)  
) **Date: TBD**  
) **Time: TBD**  
) **Dept: TBD**  
)

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I.

INTRODUCTION

*Heaven knows how to put a proper price upon its goods, and it would be strange indeed if so*